



State Department of Education's Response to Negotiated Rulemaking on SPECIAL EDUCATION REVISIONS

Docket No. 08-0203-1604

Negotiated rulemaking was conducted on the revisions to rule regarding Special Education. In compliance with Section 67-5220, Idaho Code, notice was published in the Administrative Bulletin. In addition, notice was distributed through a press release and on the State Department of Education's (SDE) website. A draft of the rule, public comment forms, and links to an online survey were available through our website. In addition, stakeholder groups, including the Special Education Advisory Panel and the Directors Advisory Council, were notified of the intent by the department to promulgate rule. In April, six public meetings across the state were conducted expressly to receive comment.

Overall, the department received two formal comments regarding the changes:

1. A school district employee at the Idaho Falls public meeting asked how the recent change of the Highly Qualified Teacher status was going to be resolved. The Special Education Manual was modified manual in response to incorporate the policy change from the SDE.
2. Through the online survey, one parent indicated the department's use of psychosocial rehabilitation was outdated. In response, the outdated term was removed from the manual.

Based on these results of the negotiated rulemaking process, the SDE is proceeding directly into formal rulemaking.